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## **STIPULATION**

**WHEREAS**, Defendants Uber Technologies, Inc., Rasier, LLC, and Rasier-CA, LLC (collectively, “Uber” or “Defendants”) have expressed their intent to file and serve third-party complaints in actions that have been, or may be, coordinated into MDL 3084;

**WHEREAS**, at the May 31, 2024 Case Management Conference held before this Court, Uber expressed concern that Plaintiffs may argue that the filing and service of third-party complaints may affect Uber's ability to bring, and have this Court decide, motions under Rule 12 of the Federal Rules of Civil Procedure, including the Motions to Dismiss under Rule 12(b)(6) currently pending before this Court;

**THEREFORE**, the parties respectfully request the Court enter the parties' stipulation establishing that the filing and/or service of third-party complaints as to any action that has been or is later coordinated into MDL 3084 shall not in any way affect or waive Defendants' ability to file, or have this Court decide, any motions under Rule 12 of the Federal Rules of Civil Procedure.

## **IT IS SO STIPULATED.**

Dated: June 7, 2024

# **PAUL, WEISS, RIFKIND, WHARTON & GARRISON LLP**

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1 Dated: June 7, 2024

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## **FILER'S ATTESTATION**

I, Randall S. Luskey, am the ECF User whose ID and password are being used to file this document. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that each of the signatories identified above has concurred in this filing.

Dated: June 7, 2024

By: /s/ Randall S. Luskey  
Randall S. Luskey

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

IN RE: UBER TECHNOLOGIES, INC.,  
PASSENGER SEXUAL ASSAULT  
LITIGATION

Case No. 3:23-md-03084-CRB

**[PROPOSED] ORDER REGARDING THIRD-PARTY COMPLAINTS AND RULE 12 MOTIONS**

This Document Relates to:

ALL ACTIONS

The Court hereby GRANTS the parties' stipulation as follows:

The filing and/or service of third-party complaints as to any action that has been or is later coordinated into MDL 3084 shall not in any way affect or waive Defendants' ability to file, or have this Court decide, any motions under Rule 12 of the Federal Rules of Civil Procedure.

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Date: \_\_\_\_\_, 2024

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HON. CHARLES R. BREYER  
UNITED STATES DISTRICT JUDGE